



WEMMH/SB/21 (4/03)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/939.082
Filing Date	August 24, 2001
First Named Inventor	Francesco POMATA
Group Art Unit	2625
Examiner Name	Barry Choobin
Attorney Docket Number	8240-10

Total Number of Pages in this Submission

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached see PTO-2038 form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	James M. Durlacher Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	<i>James M. Durlacher</i>
Date	November 1, 2004

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: **November 1, 2004**

Typed or printed name	James M. Durlacher, Reg. No. 28,840		
Signature	<i>James M. Durlacher</i>	Date	November 1, 2004

**FEE TRANSMITTAL  
FOR FY 2004**

Effective 01/01/2003. Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/939,082
Filing Date	August 24, 2001
First Named Inventor	Francesco POMATA
Group Art Unit	2625

☐ Applicant claims small entity status. See 37 CFR 1.27Examiner Name **Barry Choobin**Total Amount of Payment **(\$)** 124.00Attorney Docket Number **8240-10****METHOD OF PAYMENT**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

See PTO Form 2038

☐ Deposit Account:Deposit Account Number **23-3030**Deposit Account Name **Woodard, Emhardt, Moriarty, McNett & Henry LLP**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility Filing Fee	
1002	350	2002	175	Design Filing Fee	
1003	550	2003	275	Plant Filing Fee	
1004	790	2004	395	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	

**SUBTOTAL (1)** **(\$)** 0**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee From Below	Fee Paid	
44	-42** = 2	X 18	= 36	
Independent Claims	4	-3** = 1	X 88	= 88
Multiple Dependent		300	= 0	

(Four new claims to make a total of 23)

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** **(\$)** 124

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner's Action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other Fee (specify)

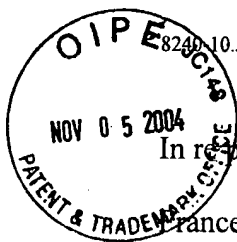
\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** **(\$)** 0

SUBMITTED BY:

Complete (if applicable)

Name (Print/Type): **James M. Durlacher**Registration No.: **28,840**  
(Attorney/Agent)Telephone: **(317) 634-3456**Signature: *James M. Durlacher*Date: **November 1, 2004**



8240-10 JMD.310318

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Francesco POMATA, et al.

Serial No. 09/939,082

Filed August 24, 2001

IMAGING SYSTEM AND  
METHOD

)  
) Before the Examiner  
)  
) Barry Choobin  
)  
) Group Art Unit 2625  
)  
) November 1, 2004  
)  
)

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November 1, 2004

(Date of Deposit)

James M. Durlacher

Name of Registered Representative

*James M. Durlacher*  
Signature

November 1, 2004

Date of Signature

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated August 25, 2004, please enter the following amendments and remarks in the above-identified patent application.

Please provide any extensions of time which are required and charge any additional fees which may be due or credit any overpayments to Deposit Account No. 23-3030.

11/08/2004 RHEBRAHT 00000030 09939082

01 FC:1201  
02 FC:1202

88.00 OP  
36.00 OP

Amendment Response  
Serial No. 09/939,082 Group Art Unit 2625  
Atty. Docket No. 8240-10  
Page 1 of 21